

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION**

**RENE RODRIGUEZ**  
**Plaintiff**

**VS.**

**STARSTONE NATIONAL  
INSURANCE COMPANY**  
**Defendant**

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**CIVIL ACTION NO. 7:17-cv-00129**  
**JURY DEMANDED**

**AGREED STIPULATION OF DISMISSAL FOR PLAINTIFF**

Plaintiff and Defendant Starstone National Insurance Company file this stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

1. Plaintiff is Rene Rodriguez, Defendant is Starstone National Insurance Company.
2. On February 27, 2017, Plaintiff sued Defendant in the 370<sup>th</sup> Judicial District, Hidalgo County, Texas, Cause No. C-0898-17-G. On April 3, 2017, Starstone National Insurance Company filed its Original Answer. On April 12, 2017, Starstone National Insurance Company filed its Notice of Removal.
3. On or about July 7, 2017, the parties settled this case. As a result of this settlement, all issues in the above-styled and numbered litigation have been fully and finally settled. Plaintiff now moves to dismiss the suit against Defendant.
4. Defendant agrees to the dismissal.
5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
6. A receiver has not been appointed in this case.
7. This case is not governed by any federal statute that requires a court order for dismissal of the case.
8. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.
9. This dismissal is with prejudice.

Respectfully submitted,

By: /s/ Mikell A. West

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**COUNSEL FOR PLAINTIFF,  
RENE RODRIGUEZ**  
*\*Signed with permission*

**CERTIFICATE OF SERVICE**

I certify that on August 22, 2017, a copy of the parties' Agreed Stipulation of Dismissal was *electronically filed* on the CM/ECF system, and will be served on the following attorney in charge for Plaintiff, Rene Rodriguez, via electronic filing or regular mail:

Marc K. Whyte  
Whyte PLLC  
Email: [mwhyte@whytepllc.com](mailto:mwhyte@whytepllc.com)

**VIA E-FILING**

/s/Thomas F. Nye  
Thomas F. Nye